

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3 ELLEN ANNETE GOLD,
4 Plaintiff,

5 v.

6 MIDLAND CREDIT MANAGEMENT,
7 INC., et al.,
8 Defendants.

Case No. [13-cv-02019-BLF](#) (MEJ)

DISCOVERY ORDER

Re: Dkt. No. 69

9 Pending before the Court is the parties' Joint Discovery Dispute Letter No. 3, filed August
10 4, 2014. Dkt. No. 69. In the joint letter, Plaintiff Ellen Gold seeks clarification of the Court's two
11 recent Discovery Orders issued on July 9, 2014 (Dkt. Nos. 64 and 65). In accordance with this
12 request, the Court clarifies its previous orders as follows.

13 Regarding Docket No. 64, MCM shall provide to Plaintiff, no later than fourteen days
14 before the Rule 30(b)(6) deposition, responses to Interrogatory Nos. 1 and 2, and Request for
15 Production of Documents No. 13. At the same time it serves its responses, MCM shall also
16 provide the name, address and job title of the witness(es) MCM intends to produce.

17 Regarding Docket No. 65, MCM shall present a knowledgeable witness for deposition in
18 San Jose, California. As set forth in its previous Order, MCM breached its duty to make a
19 conscientious, good-faith effort to designate a knowledgeable person for its Rule 30(b)(6)
20 deposition and to prepare its deponent to fully and unequivocally answer questions about the
21 designated subject matter. Dkt. No. 65 at 6. When it became apparent that deponent Ross could
22 not provide knowledgeable testimony, MCM had a duty to designate an additional knowledgeable
23 deponent, which it refused to do. *Id.* Accordingly, it would be manifestly unfair to reward
24 MCM's bad faith by requiring Plaintiff to travel to San Diego a second time.

25 **IT IS SO ORDERED.**

26 Dated: August 11, 2014

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MARIA-ELENA JAMES
United States Magistrate Judge